

**STILLWATER COUNTY
COMMISSIONER MINUTES**

<p>Notice: These minutes reflect the proceedings of the Board of County Commissioners. The official minutes are on file with the Clerk and Recorder MCA 7-4-2611(2)(b).</p>
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**REGULAR MEETING -
January 5, 2021**

PRESENT Commissioner Mark Crago, Chair, Commissioner Tyrel Hamilton and Steve Riveland, members, Shannon Fisher, Admin Assistant.

Others Present: Jerry Friend, Treasurer; Chip Kem, Sheriff; Randy Smith, Undersheriff; Dana Weatherford, Weed Dept.; Marlo Pronovost, Stillwater County News; Citizen: Ron Olson.

PLEDGE Commissioner Crago opened the meeting with the Pledge of Allegiance.

CLAIMS 106314 through 106400 in the amount of \$220,290.19 were presented. Commissioner Hamilton **MOVED** to approve the Claims. Commissioner Riveland **SECONDED**. Motion passed unanimously.

MINUTES December 8, 2020. Commissioner Hamilton **MOVED** to approve the minutes as presented. Commissioner Riveland **SECONDED**. Motion passed unanimously.

ANNOUNCEMENTS Commissioner Crago stated there no public health updates at this time. The Commission is waiting for directive from the new Governor regarding restrictions or lifting restrictions. The Commissioner will make decisions regarding COVID from the guidelines issued by the State. Commissioner Crago added a reminder that on Wednesday January 13, 2020, there will be a public hearing at 10:00 a.m. at the Stillwater Pavilion. The hearing is for the citizen-initiated zone, also known as the Beartooth Front. The hearing is open to the public in person or via zoom. January 19, 2020, at 9:30 a.m., there will be a public hearing during the agenda meeting for the abandonment petition for a portion of Berry Creek Road. On January 26, 2020, there will be a public hearing for the draft version of the countywide capital improvements plan.

FILE ITEMS **Commission**

A) Gates Across County Roads Letter.

Commissioner Hamilton **MOVED** to file the file items. Commissioner Riveland **SECONDED**. Discussion – Ron Olson commented about a letter for the Berry Creek Road abandonment stating that it is very concerning this time of year. Opening gates wouldn't be a problem because there are no livestock on the premises that would be affected. However, Ron can't speak for the adjoining landowners because he doesn't know if they have livestock in the area. Ron asked if he is to follow the letter he received, how is he supposed to keep animals where they belong. Commissioner Crago responded that there was a recent court decision stating gates across a county road are an obstruction. Correspondence should be going out to all affected landowners named in this letter regarding gates. During the winter months, pinning gates back is an acceptable measure, however, moving forward, the road will either have to be fenced off or a cattle guard will have to be installed to prevent livestock from crossing county roads in those areas. The Commission understands the issue with the winter weather and trying to fence and dig and in this regard, pinning the gates back will be acceptable. When the weather breaks landowners will have to come up with some type of fencing solution. On Berry Creek Road where

there are gates across the road, if the abandonment goes through this will not be an issue because it will no longer be a county road. The county will work with the landowners to get the roads opened for travel at leisure. Ron Olson asked how long it will be before the gates will need to be opened in the area of the abandonment. Commissioner Crago responded that although he has not yet seen the letter, he believes there will be a two week notice before the gates have to be opened. Ron Olson stated that Heidi Blackmoor has horses and if he has to open all the gates, those horses could go for miles. Commissioner Crago stated that while he does not disagree with Ron, when this issue was brought to the Commission's attention, statutorily the Commission has to take action to have the obstructions removed. Ron Olson stated that he will keep the gates shut and not locked for the two-week period. Motion passed unanimously.

REGULAR BUSINESS

Commissioners

A) Resolution 2021-01 Establishing Re-Organization of the Board of County Commissioners, Stillwater County Commissioner Hamilton **MOVED** approve Resolution 2021-01 establishing reorganization of the Board of County Commissioners. Commissioner Riveland **SECONDED**. Discussion – Jerry Friend asked who will be the chair. Commissioner Crago responded that the resolution is written that he will remain as the chair and Commissioners Hamilton and Riveland will be co-chairs. Some of the board assignments have changed. Motion passed unanimously.

B) Resolution 2021-02 Setting the Commissioners meeting days, office hours and establish location for posting public notice of the Board of County Commissioners, Stillwater County. Commissioner Hamilton **MOVED** approve Resolution 2021-02 setting the Commissioners meeting days, office hours and establish location for posting public notice of the Board of County Commissioners, Stillwater County. Commissioner Riveland **SECONDED**. Discussion; Commissioner Hamilton stated this will be the third year for the traveling agenda meeting and the dates will be the first Tuesday of the month at 6:30 p.m. starting in March running through October. The schedule of the towns will remain the same starting with Park City in March, April – Rapelje, May – Reed Point, June – Fishtail, July – Columbus, August – Nye, September – Absarokee, October – Molt. Commissioner Crago noted that the two legal areas for postings are the first-floor bulletin board and the second-floor bulletin board. The website is a courtesy and not a statutorily required location to post notices. The County will do their best to keep the postings updated on the website. Motion passed unanimously.

C) Resolution 2021-03 Establishing Mileage, Lodging, and Per Diem Rates for Business Travel for Calendar Year 2020. Commissioner Hamilton **MOVED** approve Resolution 2021-03 a resolution establishing miles, lodging, and per diem rates for business travel for Calendar year 21. Commissioner Riveland **SECONDED**. Discussion – Commissioner Hamilton stated that the rates went down 1.5 cents to \$.56 per mile for the first thousand miles per calendar month to \$.545 per mile for each mile thereafter. Rates for meals and lodging are \$96.00 plus tax for in state lodging. Rates for meals are \$7.50 for a morning meal, \$8.50 for a midday meal and \$14.50 for an evening meal for in state rates. Motion passed unanimously.

PUBLIC COMMENTS ON COUNTY BUSINESS – Commissioner Crago thanked all the recently retired elected officials, Sandy Fox and Dennis Shupak for all their time. Commissioner Crago would also like to welcome Commissioner Riveland and looks forward to the next six years with Commissioner Riveland representing the county.

With no further comments hear the meeting was adjourned at 9:14 a.m.

APPROVED BY: /s/ Mark Crago, Commissioner Chairman
ATTEST: Heidi L. Stadel, Clerk and Recorder